IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICITON

INCOME TAX APPEAL NO.790 OF 2004

The Commissioner of Income Tax,
City - II, Mumbai .. Appellant.

Versus

M/s.Bank of India .. Respondent.

Mr.B.M. Chatterjee with Mrs.P.P. Bhosale with Mr.P.S. Sahadevan for the appellant.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 3RD SEPTEMBER, 2007.

P.C. :

1. Considering what is set out in paragraph 4 of the order of the I.T.A.T., it will be open to the Appellant herein to move that Court on that event occurring. In the light of that, this is not a fit case to entertain the appeal.

2. Considering the liberty granted, learned counsel for the appellant seeks leave to withdraw the appeal. Appeal dismissed as withdrawn. Refund of Court fee as per rules. Certified copy expedited.

(J.P. DEVADHAR, J.) (F.I. REBELLO, J.)